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Chair: Mr. Gunnarsson ..... (Iceland)

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The meeting was called to order at 3 p.m.

Agenda item 67: Report of the Human Rights Council (A/72/53 and A/72/53/Add.1)

1. **Mr. Maza Martelli** (El Salvador), President of the Human Rights Council, introducing the report of the Human Rights Council (A/72/53 and A/72/53/Add.1), said that the Council had adopted 114 resolutions, decisions and President's statements in 2017. 80 of them without a vote. Many of the existing country-specific special procedures mandates had been extended, including those on Belarus, the Central African Republic, the Islamic Republic of Iran and the Sudan. The Council had given special attention to the situation in Myanmar, and at its thirty-fourth session it had decided to send an independent international fact-finding mission to that country. With regard to the human rights situation in the Syrian Arab Republic, interactive dialogues had been held with the Independent International Commission of Inquiry on the Syrian Arab Republic at each of the Council's regular sessions in 2017 and the Council had extended the Commission's mandate for another year. The Council had also decided to strengthen the capacity of the Office of the United Nations High Commissioner for Human Rights (OHCHR) in Seoul and to extend the mandate of the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea for another year. Lastly, a new mandate had been established, that of the Special Rapporteur on the elimination of discrimination against persons affected by leprosy and their family members.

2. The special procedures of the Human Rights Council provided one of the main sources of reliable information on human rights issues and situations around the world and a solid basis for the Council's dialogues and debates. They also contributed significantly to United Nations early warning and prevention efforts. It was important for all countries to cooperate and give access to special procedures mandate holders so that they could carry out their work effectively. To date, 118 Member States and one observer State had extended a standing invitation to thematic special procedures. However, he was concerned that some States were refusing to cooperate with the Council's mechanisms or were cooperating only with a select few. He called upon all States that had not yet done so to issue standing invitations to special procedures mandate holders and to cooperate fully with the Council's mechanisms.

3. A special session on the situation of human rights in South Sudan had been held in December 2016, and the mandate of the Commission on Human Rights in South Sudan had been extended for one year, while in September 2017 the mandate of the Commission of Inquiry on Burundi had been extended for one year. Action had also been taken by the Council on the human rights situations in the Democratic Republic of the Congo, Yemen, Sri Lanka and the Occupied Palestinian Territory, among others.

4. Turning to the universal periodic review, he said that the third cycle had commenced in May and had focused on follow-up and implementation of recommendations. All States had participated, with high-level representation, in the first two cycles. States were increasingly institutionalizing their national processes by establishing national monitoring bodies, developing national human rights action plans and establishing compliance databases. To date, 66 States had submitted, on a voluntary basis, mid-term reports relating to recommendations made during the first and second cycles.

5. During its thirty-fifth session, the Human Rights Council had acknowledged the crucial role played by parliaments in incorporating international commitments into national policies and laws, including the implementation of recommendations made under the universal periodic review. It had also adopted a resolution on the contribution of parliaments to the work of the Human Rights Council.

6. Thanks to the Voluntary Technical Assistance Trust Fund to Support the Participation of Least Developed Countries and Small Island Developing States in the Work of the Human Rights Council, 27 representatives from 26 countries had been able to participate in the Council's regular sessions in 2017. In addition, pursuant to Council resolution 34/40, a briefing had been held in the previous week for least developed countries and small island developing States on the outcomes of the regular and special sessions of the Human Rights Council, with a view to supporting the engagement of those delegations in the work of the Third Committee.

7. The active participation of civil society and national human rights institutions was a core aspect of the Council's work. In addition to providing first-hand information and drawing attention to urgent human rights situations, they played a fundamental role in follow-up and capacity-building efforts in their home countries.

8. He had received allegations of acts of intimidation, threats and reprisals against individuals who were seeking to cooperate or had cooperated with the Human Rights Council and its mechanisms, and he had followed up with the States in question. Representatives of civil

society and national human rights institutions must be able to voice their concerns safely as well as to interact with other stakeholders. He thus regularly reminded States that acts of intimidation and reprisals against individuals or groups participating in the work of the Council or its mechanisms were completely unacceptable, and he called on them to take all the necessary measures to prevent and ensure adequate protection from such acts.

9. Council discussions in 2017 had brought Geneva and New York closer together in matters of common interest. During the high-level panel discussion on promoting the mainstreaming of human rights in the United Nations system, the Council had discussed the contribution of human rights to peacebuilding through the enhancement of dialogue and international cooperation for the promotion of human rights.

10. The relationship between human rights and the 2030 Agenda for Sustainable Development was also reflected in the Council's thematic debates and round tables on subjects such as the implementation of the 2030 Agenda in relation to the rights of the child and women's rights. New debate formats adopted by the Council had enabled it to hold more extensive and more interactive discussions with stakeholders, including experts from regional human rights mechanisms and civil society representatives.

11. There was a growing gap between the workload associated with servicing Council meetings and the resources allocated to the United Nations Office at Geneva and the Department for General Assembly and Conference Management. A Joint Task Force had been established in May 2017, made up of a representative of the Bureau of the Human Rights Council and representatives of the United Nations Office at Geneva and OHCHR. On the basis of the Task Force's report and recommendations, the Bureau had presented various proposals to the Council in September, including substantive time-saving measures. Although several consultations had been held, it had not been possible to reach consensus on the proposed measures. Further consultations, including under the leadership of the next Bureau, would be needed with a view to adopting sustainable measures so that the Human Rights Council could carry out its work more efficiently. It had therefore been proposed to the Council that the General Assembly could be asked to authorize, on an exceptional basis, 20 additional fully serviced meetings in 2018.

12. The nature of current crises required the international community to connect global efforts for peace and security, sustainable development and human rights in practice as well as in words. The work of the Human Rights Council, as the main United Nations human rights body, was essential to achieving peace, security and development. He therefore requested the Committee's full support for the Council's work in 2017.

13. **Ms. Mejía Vélez** (Colombia) said that the Secretary-General's proposed reform of development, management, and peace and security would affect human rights because of their cross-cutting nature. She would like to know how that reform was being viewed in Geneva and whether he thought it would be beneficial.

14. **Ms. Cruz Yábar** (Spain) said that the main trends originating in the Human Rights Council, including the application of a human rights-based approach to current issues such as migration and climate change, must permeate and facilitate all areas of the Third Committee's work. With regard to the relationship between United Nations Headquarters and the Council, much work remained to be done. There were not always suitable channels through which multilateral human rights mechanisms could provide input to important areas of work at Headquarters, such as the high-level segments on implementation of the 2030 Agenda on Sustainable Development.

15. The Human Rights Council was in a critical situation. It had scheduled 155 meetings for 2018, but its budget would cover only 130 meetings. That situation was the result of adding increasing numbers of meetings, many of them called for by resolutions. Neither the bureau nor the secretariat had proposed a significant resource streamlining programme. The membership as a whole should discuss whether the number of meetings should be capped. Other possible measures included grouping debates by themes or by countries, reducing the time allocated to each agenda item, or exploring other financing options. Even if additional funding could be found to hold those meetings, it did not necessarily mean that meetings should increase in number, and her delegation urged Member States to work together to improve the Council's working methods and undertake reform to ensure that it was more efficient and effective. Spain was fully committed to that process.

16. **Mr. Saito** (Japan) said that the Human Rights Council should be subject to constant review to ensure its effectiveness and efficiency. Noting that no consensus had yet been reached on ways to help the Council cope with its excessive workload, he wished to know what the President's priorities were with respect to Council reform.

17. **Mr. Giorgio** (Eritrea), referring to the comments before the General Assembly earlier that day (see A/72/PV.40), said that it was unclear why an oral update relating to the report of the commission of inquiry on human rights in Eritrea should be provided considering that the commission's mandate had expired two years earlier. He wished to know what the President had done to address the politicization of and double standards in the work of the Human Rights Council and to ensure that all human rights were accorded the same attention and funding.

18. **Mr. Varga** (Hungary) said that it was important to depoliticize the work of the Human Rights Council and to build confidence among its members by seeking consensus even on divisive issues. The adoption following a four-year impasse of Council resolution 36/21 on cooperation with the United Nations, its representatives and mechanisms in the field of human rights, which Hungary had helped to facilitate, was among the Council's important achievements in 2017. He hoped that the report of the Council would be adopted by consensus.

19. **Ms. Vilde** (Latvia) said that the presentation of the report was important for strengthening ties between the Human Rights Council and the General Assembly. Latvia welcomed the President's work to address acts of intimidation and reprisals against individuals who sought to cooperate with the United Nations. Noting that multiple offices within the United Nations system were responding to that issue, she wondered how the Organization-wide response could be further strengthened.

20. **Ms. Wagner** (Switzerland) said that civil society played a key role in strengthening human rights and wondered whether the President felt constrained in his response to the numerous cases of intimidation of and reprisals against individuals who sought to cooperate with the Council and its mechanisms. Could instruments be developed to protect such individuals and to ensure consequences for States that engaged in such practices? She was also interested to know what kind of working relationship could be established between the President of the Council and the senior United Nations official designated to lead the effort to end intimidation and reprisals against those cooperating with the United Nations on human rights.

21. **Mr. Wagner** (Germany) said that the United Nations and its bodies would benefit from closer cooperation with the Human Rights Council, which collected information through its various mechanisms and issued reports of immediate relevance to the work of other United Nations entities. Human rights violations were often early signs of escalating conflict, and taking action in response to them could be a major step towards conflict prevention. Civil society representatives gave a voice to victims of human rights violations and should be able to contribute to the work of the Council without fear of reprisals. It was therefore important to find ways to protect such persons from reprisals more effectively.

22. **Mr. Pfeifer** (Austria), noting that the Human Rights Council had a less well-known mandate, under paragraph 5 (f) of General Assembly resolution 60/251, to prevent human rights violations and to respond promptly to human rights emergencies, was interested to know how the Council could contribute to the Secretary-General's prevention agenda.

23. **Mr. Chapman** (Australia) said that everyone was safer and more secure when respect for fundamental human rights was woven into the fabric of society. Escalating human rights abuses were often an early warning that a country was heading towards turmoil. The work of the Human Rights Council, therefore, went hand in hand with the peace and security agenda of the United Nations. Australia was committed to reforming the Council to make it more effective and was interested to know what the President's top priorities were for streamlining the Council's work in 2018.

24. **Mr. Sparber** (Liechtenstein) said that his country had joined a recent appeal by dozens of States to give greater consideration to the human rights dimension in the field of peace and security. His Government called on the members of the Security Council and the Secretary-General to heed the recommendation of the Human Rights Council that the Independent International Commission of Inquiry on the Syrian Arab Republic submit its reports to the Security Council. He was interested to know how the Human Rights Council could increase its engagement on the country-specific situations included on its agenda.

25. **Mr. Whiteley** (Observer for the European Union) said that, although the universal periodic review mechanism had improved compliance with human rights obligations, it would benefit from greater participation by civil society. Recent efforts to increase the efficiency of the Human Rights Council had not been successful. His delegation would appreciate hearing the President's views on the difficulties that Member States were facing in providing resources for the Council's meetings.

26. **Mr. Kang** Sangwook (Republic of Korea) said his Government hoped that the ideas and suggestions voiced at the Human Rights Council intersessional panel discussion on the role of local government in the promotion and protection of human rights would inform

the work of the United Nations human rights mechanisms. Concerned that acts of intimidation and reprisals against persons who had cooperated with United Nations human rights mechanisms were undermining the Council's vital work, his Government welcomed the Council's resolution addressing that issue. It would be helpful to know the President's views regarding ways of expediting the discussion of improvements to the Council's working methods.

27. **Mr. Torbergsen** (Norway) said that his Government welcomed the considerable autonomy of the Human Rights Council and had sought to strengthen the Council's ability to improve human rights compliance. Norway supported the Council's special procedures mechanisms and valued civil society's contributions to the Council's discussions, which should take place without fear of reprisals. In the light of the growing workload, he wondered what measures could be taken to improve the Council's relevance and efficiency.

28. **Mr. Kelly** (Ireland) said that the successes of the Human Rights Council in 2017 had included the adoption of resolution 36/21 on cooperation with the United Nations, its representatives and mechanisms on human rights, resolution 34/5 to extend the mandate of the Special Rapporteur on the situation of human rights defenders and resolution 36/31 on Yemen. Ireland had pledged to promote universal participation and diversity in the Council among least developed countries and small island developing States and to strengthen the Council through good practice. Members and observers of the Council would benefit from knowing the President's views on how they could contribute to that effort.

29. **Mr. Teffo** (South Africa) said that his Government was deeply concerned by ongoing efforts to review the status of the Human Rights Council that contradicted General Assembly resolution 65/281, according to which the question of the Council's status as a subsidiary body of the General Assembly would be considered no sooner than ten years and no later than fifteen years from the adoption of that resolution. Any review of the status of the Council should be conducted through an intergovernmental process and comply with the aforementioned resolution and Human Rights Council resolution 5/1 on institution-building of the United Nations Human Rights Council.

30. His Government would continue to prioritize the elaboration of standards that were complementary to those set out in the International Convention on the Elimination of All Forms of Racial Discrimination, the elaboration of an international legally-binding framework to regulate the activities of private military and security companies, the rectification of the legal status of the Committee on Economic, Social and Cultural Rights and the elaboration of a legally-binding normative framework to regulate the activities of transnational corporations with respect to human rights.

31. **Mr. Kent** (United Kingdom) said that the Human Rights Council provided for peer review by States and facilitated essential participation by civil society, thereby giving voice to those who had been denied their human rights. It would be useful to learn what could be done to ensure that the views of human rights defenders were heard. Additional guidance on mainstreaming human rights in the United Nations system and incorporating human rights reports into conflict prevention work would be appreciated.

32. **Ms. Rolle** (Bahamas) said that the efforts of the Human Rights Council were more valuable when all perspectives were equally represented. She expressed her Government's gratitude to the donors to the Voluntary Technical Assistance Trust Fund to Support the Participation of Least Developed Countries and Small Island Developing States in the Work of the Human Rights Council and to the Secretariat for its management of the Fund, which had facilitated the mainstreaming of human rights at the national level in her country. She wished to hear the President's assessment of the Fund and his views on the impact of the membership of countries such as hers on the Council's work.

33. **Ms. Abdullah** (Iraq) said that her country's membership of the Human Rights Council was a great incentive for Iraq to promote human rights. Her delegation stressed the need to improve the legal human rights framework by holding terrorist groups accountable for war crimes, crimes against humanity and genocide. She asked the Chair of the Human Rights Council to share his views on how to persuade international organizations to promote capacity-building programmes for States, as well as how to convince States to work effectively with Council mechanisms and implement all recommendations.

34. **Mr. Habib** (Indonesia) said that the President's views on strategies for ensuring genuine and constructive dialogue within the Human Rights Council would be appreciated. International cooperation on human rights could only be achieved if the Council remained impartial and maintained a clear focus on all human rights. The Council should avoid applying double standards in its work and be guided by the principle that human rights were universal, interconnected and must be treated with the same

emphasis. He added that Indonesia was in the process of coordinating with the Special Rapporteur on the right to food in preparation for her visit in 2018.

35. **Mr. Molina Linares** (Guatemala) said that the human rights system must be strengthened in order to fulfil existing mandates and support countries in implementing recommendations. Concerted efforts must be made to improve the Council's working methods. His country would continue to support the Council, including in Fifth Committee discussions, to ensure it received the necessary resources to carry out its work effectively. He wondered how Member States could support the Council's work from New York and improve coordination and coherence between the Third Committee and the Council.

36. **Mr. García Moritán** (Argentina) said that his delegation was grateful for the opportunity to discuss the Council's recent work at Headquarters, since New York and Geneva should cooperate closely. Argentina was concerned that several special procedures mandate holders had reported a lack of cooperation and response from Member States. It would be very difficult to meet expectations regarding human rights protection if States did not respect United Nations institutions and mandates. Member States must respect the independence and integrity of the Council's mandate, and strengthen cooperation with special procedures and treaty bodies.

37. **Mr. Maza Martelli** (El Salvador), President of the Human Rights Council, said that information-sharing between Geneva and New York was vital because reforms must be based on accurate and complete information. He welcomed the reform proposals; consultations must be held at the grassroots level, in other words, with the members of the Human Rights Council and the Third Committee. It was currently unclear what shape efficiency-driven reforms in the area of human rights should take, but key elements would be open-door dialogue, proper resource management and anticipation of problems. In Geneva, efforts were made to ensure that problems were dealt with before they reached the Council or other forums. Diplomacy must be used to discuss, to implement recommendations and to take action. Multilateral diplomacy was a necessity in international organizations, and the Council had had some success in applying it.

38. The resolutions adopted, irrespective of their number, must be properly implemented and must reach communities. Otherwise, there was nothing more than dialogue. The participation of local governments and civil society in implementation was crucial, and international cooperation should be fostered through local agents of change. The 2030 Agenda for Sustainable Development was an important framework since it offered the United Nations system the opportunity to reach communities in a practical way for the first time.

39. When the Human Rights Council had begun its work in January 2017, the outlook had been somewhat bleak because of a funding shortfall. Provision had been made for 135 fully serviced meetings, but 160 meetings were needed. In consequence, the Council had implemented a new time management method, with limits on speaking time. Many minutes of serviced meeting time had also been saved through a culture of cooperation and dialogue. Human rights policies should be designed by States, which were the decision-makers and must decide on the priority areas. In that sense, the Council depended on the States, but it had all the resources it needed.

40. The universal periodic review was a very valuable resource that should not be lost; rather, it needed improvement. Many countries were presenting mid-term reports on a voluntary basis and had complied with recommendations in advance of the deadlines. Regarding the collaboration of parliaments with the universal periodic review mechanism, which was covered in Council resolution 35/29, a pragmatic approach should be taken since parliaments held great sway in ensuring that new legislation was adopted in response to recommendations.

41. The Secretary-General was concerned that work would grind to a halt unless vital reforms were undertaken, which was everyone's responsibility. The President of the Human Rights Council believed that relations between New York and Geneva were warm, and that the existing complementarity should be strengthened. The United Nations human rights system supported cooperation with and among States, and with civil society.

42. Information on human rights violations and reprisals must be accurate and complete; otherwise, he was unable to take up alleged violations with States. That was where new information mechanisms were needed.

43. Politicization should not be an issue, provided that the common goal was to develop and comply with human rights. He was more interested in giving attention to minorities and unaccompanied migrant children. Major crises and tensions could be overcome through dialogue, and States must work together.

44. **Mr. Giorgio** (Eritrea), speaking on behalf of the African Group, said that the Human Rights Council's

mandate should be driven by cooperation and dialogue that was free of politicization, selectivity and double standards. The Voluntary Trust Fund for Financial and Technical Assistance for the Implementation of the Universal Periodic Review must be properly resourced to assist States in developing national capacity and expertise to implement the Council's recommendations. The Group reaffirmed the Vienna Declaration and Programme of Action, which underlined the universal, indivisible, interdependent and interrelated nature of human rights, the right to development as a universal and inalienable right and an integral part of fundamental human rights, and the need to alleviate and eliminate extreme poverty worldwide. The Council's work on the practical enjoyment of economic, social and cultural rights was encouraging, but more could be achieved.

45. The African Group held a principled position on the justiciability and realization of economic, social and cultural rights, as extreme poverty and social exclusion were a violation of human dignity that required urgent attention. The Group did not believe in the hierarchy of rights on which the human rights-based approach appeared to be premised and considered proposals to submit the Human Rights Council report to the General Assembly without Third Committee endorsement as attempts to undermine that Committee's mandate, which set a dangerous precedent. Changes to the mandate would require endorsement by the universal membership through an inclusive intergovernmental process.

46. **Mr. Whiteley** (Observer for the European Union), speaking also on behalf of the candidate countries Albania, Montenegro and the former Yugoslav Republic of Macedonia; the stabilization and association process country Bosnia and Herzegovina; and, in addition, Ukraine, said that the Human Rights Council should promote the effective coordination and mainstreaming of human rights within the United Nations system. There was potential to strengthen dialogue and synergies between the Human Rights Council and the Security Council to ensure that human rights were central to all United Nations action. Full use should be made of the existing mechanisms of the Human Rights Council and its mandate to employ dialogue and cooperation in preventing rights violations and responding promptly to emergencies to ensure early action.

47. The European Union was committed to constructive engagement in a cross-regional review process focusing on the Human Rights Council's working methods, efficiency and effectiveness, the outcomes of which would inform necessary action. In his March 2017 address to the Council, the Secretary-General had described disregard for human rights as a disease for which the Human Rights Council must be part of the cure. Inquiry and fact-finding missions had been established to respond to serious allegations of human rights violations around the world, and the independent special procedures mandate holders contributed to a global early warning system for emerging crises. The European Union would continue to support the Council in delivering its mandate, while recalling the importance of the Council's independence and strongly opposing any attempts to undermine its position within the United Nations system.

48. His delegation lamented the severe consequences of the crisis in Syria and the violations committed by all parties, particularly the Syrian regime and its allies. Any breaches of international law must be brought to justice. The Council's ongoing response remained critically important as demonstrated by efforts to foster accountability and fight against impunity. The European Union welcomed the consensus decision to ask the High Commissioner for Human Rights to establish an expert group to monitor and report on the human rights situation in Yemen, and called on all parties to cooperate fully with the new investigative mechanism. In 2017, the Human Rights Council had also demonstrated its commitment to promoting reconciliation and accountability in Sri Lanka, providing technical assistance and capacity-building in Côte d'Ivoire, Haiti, Libya and Mali, and continuing to support the Occupied Palestinian Territory, Guinea, Georgia, Libya and Ukraine.

49. The European Union strongly condemned acts of violence, harassment, intimidation or reprisal, or threats thereof, against individuals or groups engaging with United Nations mechanisms, as the ability to raise concerns with special procedures without fear was vital for the work of the Council and its mechanisms. The prevention of reprisals required a consistent approach at the international and regional levels, and his delegation therefore welcomed the work of the Assistant Secretary-General for Human Rights in addressing allegations.

50. The European Union congratulated recently elected Council members and reminded them to pay attention to the human rights situation in their own countries, cooperate with the Council's mechanisms and engage with its work in a spirit of self-reflection. Encouraging States and stakeholders to cooperate on the protection and promotion of human rights, he called on all States to extend a standing invitation to all special procedures mandate holders.

51. The European Union was pleased that the Human Rights Council was seized of the serious situation in the

Democratic Republic of the Congo and underlined the importance of accountability for events in the Kasai regions. As a member of the Council, the Democratic Republic of the Congo had a duty to comply with its mechanisms and with international norms and to cooperate fully with the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the international expert group.

52. Welcoming the renewal of the mandate of the Commission of Inquiry on Burundi, his delegation called on the Government of Burundi, a member of the Council, to cooperate fully with international human rights mechanisms. The European Union hailed the independent international fact-finding mission to investigate alleged recent human rights violations by security forces in Myanmar, and called on the Government of Myanmar to cooperate. His delegation also welcomed the extension of the country-specific mandates of the Special Rapporteurs on the situation of human rights in Belarus, the Democratic People's Republic of Korea, Eritrea, Iran and Myanmar, and the extension of the mandate of the Commission on Human Rights in South Sudan.

53. **Mr. Arriola Ramírez** (Paraguay) said that his country's first term of membership of the Human Rights Council would conclude in 2017 after a period of three years, during which time its work had been guided by a constructive and conciliatory appeal to dialogue, cooperation and respect for differences. In 2015, Paraguay had held the position of Vice-Chair on behalf of the Latin American and Caribbean Group, which it also represented in the Working Group on Situations.

54. Paraguay had spearheaded efforts for the protection and promotion of human rights around the world. One example was its joint sponsorship, together with Brazil, of Council Resolution 36/29 on promoting international cooperation to support national human rights follow-up systems, processes and related mechanisms, and their contribution to the implementation of the 2030 Agenda for Sustainable Development.

55. It was important for OHCHR to assist in strengthening appropriate national mechanisms. Paraguay advocated continued support and resourcing for the Human Rights Council in its essential role as the main intergovernmental body responsible for promoting and protecting human rights with objectivity, partiality and universality. Concerned at the rising polarization within the Council, his delegation called on States to work constructively without confrontation or selectivity.

56. **Mr. Moussa** (Egypt) said that the Human Rights Council could only implement its mandate effectively on the basis of non-politicization, non-selectivity, objectivity, universality, international cooperation, and genuine intergovernmental dialogue to address human rights issues. Egypt was concerned by attempts to impose narrow norms and values that contradicted the mandate to promote universal respect for and protection of human rights, which were facing unprecedented challenges that would require expansion of the activities of the Council and increase pressures on its resources. There was an urgent need to improve morale within the Council and enhance its efficiency by encouraging rationalization of its work through voluntary measures.

57. Egypt reaffirmed the universality, indivisibility, interrelatedness and interdependence of all human rights and held that civil, political, economic, social and cultural rights should be addressed fairly and equitably, with the same emphasis and on an equal footing. It was imperative to continue work on the realization of the right to development and the further elaboration of its normative content by formulating measurable criteria for its implementation. His delegation welcomed the appointment of a Special Rapporteur on the right to development and looked forward to cooperating with him in his work.

58. **Ms. Mejía Vélez** (Colombia) said that the report demonstrated the increased volume and content of the Council agenda as well as the mainstreaming of human rights within the United Nations system. Further rationalization of the number of draft resolutions and matters for consideration would help in monitoring and implementing recommendations, giving all agenda items the maximum attention and utilizing available capacity.

59. While the Human Rights Council had enhanced respect for human rights and strengthened their protection, immense challenges remained. Colombia welcomed the start of the third cycle of the universal periodic review, a tool with the potential to improve the human rights situation on the ground and strengthen related cooperation internationally, and supported potential advances in technical assistance and capacity-building as a means of achieving cooperation on the implementation of recommendations from the universal periodic review and from the treaty bodies.

60. Colombia had a great opportunity to overcome the challenges it faced in ensuring the effective enjoyment of human rights. With the Peace Agreement in place, her country reaffirmed its commitment to respect, protect and guarantee all human rights, particularly in the rural areas most affected by the armed conflict. The Peace Agreement included a gender perspective and a chapter

on ethnic perspectives and was based on principles of equity.

61. **Ms. Haile** (Eritrea) said that the Human Rights Council must not be used as a tool for political pressure and interference in the internal affairs of Member States, as it had been established in part to address the political manipulation and double standards that had characterized the defunct Commission on Human Rights. International cooperation on the promotion and protection of human rights could only be realized through constructive dialogue and genuine partnership. Eritrea opposed the practice of naming and shaming countries and the imposition of politically motivated mandates. It therefore disassociated itself from the part of the Human Rights Council's report that included the resolution on the situation of human rights in Eritrea. It was unfortunate that the Council continued to be embroiled in a regional conflict and a process that undermined its credibility.

62. Eritrea was implementing the 92 recommendations that it had accepted following two universal periodic review cycles. There was a need to uphold the intergovernmental character of the Human Rights Council's agenda and working methods. Eritrea continued to advocate funding of human rights programmes from the regular United Nations budget, which would eliminate the potential for politicization of the work of OHCHR. States should not seek to highlight certain human rights or impose them on others with differing emphasis and urgency. Some States continued to push for an exclusive civil and political rights focus, ignoring the challenges faced by many nations in promoting economic, social and cultural rights. Eritrea would vehemently oppose attempts at politicization and double standards in the work of the Council.

63. **Mr. Saito** (Japan) said that his country had been particularly active in the protection and promotion of human rights in the Asia-Pacific region, sponsoring country-specific resolutions in the Human Rights Council, holding regular human rights dialogues with many States, and working hard for women's empowerment and gender equality. To properly address the urgent human rights situations facing the international community, Member States should make the Council more effective and efficient. It was important for the treaty bodies and the universal periodic review mechanism to be streamlined. With the Council facing a rising workload, a comprehensive review of the schedules, frequencies and procedures of human rights mechanisms should be considered.

64. As an essential function of the Council for protecting and promoting human rights, special procedures had been supported by Japan through intensive dialogue and active engagement with mandate holders. Constructive cooperation from Member States was indispensable for the proper functioning of the special procedures, and a third-party review could be helpful to further improve quality and efficiency. The Human Rights Council was central to the promotion and protection of human rights and had a duty of self-reflection and self-improvement.

65. **Mr. Hlail** (Iraq) said that the Iraqi constitution incorporated all human rights standards and was based on the principle of equal rights and duties for all individuals, without discrimination. Pursuant to the human rights instruments to which it was a party, Iraq had submitted its national reports on time and had cooperated with global human rights mechanisms.

66. Terrorism threatened all societies, and New York City had recently been the site of a terrorist attack. Any observation that terrorism, hatred and racism stemmed from poverty and social injustice was not meant to justify those phenomena but rather to diagnose and address the root problem. Given that development and equality of opportunity encouraged people to feel that they were part of society and made them less susceptible to extremist ideologies, Iraq believed that complementary standards should be developed for the prevention of social exclusion and discrimination.

67. **Mr. Qassem Agha** (Syrian Arab Republic) said that the references in the report to the situation in Syria constituted blatant interference in its internal affairs. The views expressed by the President of the Human Rights Council in his presentation threatened international relations and undermined the widespread agreement that human rights issues should be addressed exclusively through the universal periodic review. The President of the Human Rights Council did not have a mandate to scrutinize Syria. He had intentionally neglected to mention the terrorist war there, which was driven by other States, and he had not mentioned the unilateral measures imposed on Syria by other States. The Chair should have condemned the bloody massacre committed in October 2017 by "international coalition" warplanes, which had targeted the residential neighbourhood of Qusur in Dayr al-Zawr and resulted in 14 civilian deaths and the injury of another 40, most of them women and children. Islamic State in Iraq and the Levant (ISIL) had been driven from that area by Syria and its allies.

68. The President also should have condemned the Israeli attacks in Syria and in the separation of forces area in the Golan in support of the Nusrah Front and ISIL. He also should have demonstrated objectivity,

credibility and courage and expressed concern about the escalating violence in Yemen, where Saudi warplanes had killed over a thousand children, destroyed schools and hospitals and driven three million Yemenis from their homes.

69. **Mr. Gaumakwe** (Botswana) said that the increased scope of the work, mandate and mechanisms of the Human Rights Council was a cause of concern that it might fail to close the impunity gap and prevent human rights violations. Wherever they occurred, such violations warranted an early and dedicated response at all levels. There was a need for further consideration of the burden imposed on the limited resources of the Organization and on the response capacity of smaller delegations. One possible solution was the biennialization of non-urgent agenda items.

70. Linkages between regional human rights mechanisms and the Council's mechanisms and special procedures required further reinforcement. In preparation for the universal periodic review process in 2018, Botswana had recently submitted its third national report, which was based on multi-stakeholder consultations that had ensured broad participation in its compilation. Botswana was also drafting a bill to transform the Office of the Ombudsman into a hybrid national human rights institution. The universal periodic review and national processes strengthened national human rights institutions and reinforced the bridge between States and civil society to raise awareness of State human rights responsibilities, prevent violations and ensure accountability. It also enhanced dialogue among stakeholders to support domestic implementation efforts and follow-up on the recommendations from Council mandates and mechanisms.

71. **Ms. Brooks** (United States of America) said that immediate action must be taken to strengthen the Human Rights Council's membership, accountability, agenda and effectiveness. The credibility and impact of the Council had been seriously damaged by the presence of members with poor human rights records and demonstrated hostility to its primary mission, as evidenced by the election of the Democratic Republic of the Congo in 2017. Changes to the Council's election procedures, reform of its contentious agenda and revised provisions for the suspension of human rights violators were urgently needed.

72. The United States of America called on all States to cooperate on strengthening the Human Rights Council and ensure that Council members prioritized the promotion of human rights above political considerations. Civil society members must not be subject to retaliation for engaging with the United Nations, whose bodies and mechanisms were responsible for exposing and addressing reprisals. Council members had made appalling direct threats of retaliation in 2017 against civil society members, and people interacting with special procedures mandate holders had also been threatened with reprisals. More must be done to end those threats. The Human Rights Council must be more responsive and accountable, and its members must be truly committed to the universality of human rights.

73. **Mr. Castillo Santana** (Cuba) said that the Human Rights Council had been created to address the double standards and political confrontation and manipulation that had discredited the defunct Commission on Human Rights. The universal periodic review was the main feature distinguishing the Council from the Commission and must be consolidated as the only universal human rights mechanism for comprehensive analysis of situations and for international cooperation through constructive dialogue and respect for the principles of universality, objectivity, impartiality and non-selectivity.

74. His delegation reiterated its concern at the trend to impose selectivity and double standards in the Council when addressing human rights situations. Cooperation and respectful dialogue should steer the Council's work, and political manipulation of country situations must be ended. The Council must promote a democratic and equitable international order and continue to reject and demand the end of unilateral coercive measures and blockades such as those suffered by Cuba for over 55 years. Cuba regretted that, at a recent session of the Human Rights Council, a number of resolutions that had previously been adopted by consensus, had been adopted by a vote. His delegation would resubmit the resolution on the right to food during the current session of the General Assembly in the hope of achieving consensus.

75. **Ms. Khalvandi** (Islamic Republic of Iran) said that the Human Rights Council had yet to be fully utilized as a medium for dialogue and cooperation, and was often exploited for political purposes through confrontation and selectivity. Politicization and manipulation had increased mistrust and eroded the effectiveness of the Council and its universal periodic review mechanism, which was intended to ensure universality, objectivity, non-selectivity and impartiality. Some countries unfortunately still reverted to the dysfunctional practice of introducing country-specific resolutions aimed at increasing confrontation rather than cooperation.

76. Bearing in mind her country's continuous cooperation with various human rights mechanisms, including the universal periodic review, Council resolution 34/23 on the situation of human rights in the Islamic Republic of Iran, the ensuing reports and the appointment of the Special Rapporteur were misplaced, unwarranted and objectionable; they exposed the shortcomings of the Council and wasted limited resources. Her delegation disassociated itself from the part of the Human Rights Council's report containing the resolution and reiterated its non-recognition of and non-cooperation with Council mandates that went beyond the sphere of internationally recognized human rights.

77. She underscored the importance of the Human Rights Council in addressing racism, bigotry, violent extremism and terrorism. The world must be warned of the rapid spread of the evil forces of violent extremism and terrorism, including Islamic State in Iraq and the Levant (ISIL), whose supporters should be warned of the eventual consequences of their actions.

78. **Mr. Benarbia** (Algeria) said that his country was a founding member of the Human Rights Council and fully supported its mandate. The Council was the primary body responsible for the universal respect of human rights and fundamental freedoms, and its mandate should be carried out in line with the principles of cooperation and genuine dialogue, free from politicization and double standards. Algeria, which had presented its third report for the universal periodic review process in 2017, supported that mechanism's neutral and cooperative approach to reviewing countries' human rights situations, and believed it should be strengthened and used as the basis for the Council's work. Since economic rights were as important as political and civil rights, the Council should continue to consider questions such as the right to food, the effects of foreign debt and the impact of unilateral coercive measures on the promotion and protection of human rights.

79. Sustainable development could only be achieved through appropriate mechanisms that ensured the adequate promotion and protection of human rights. In that respect, experience-sharing and capacity-building for the definition and implementation of national human rights policies were needed in order to implement the 2030 Agenda for Sustainable Development. Peace and security were also essential for the promotion and protection of human rights, and Algeria had therefore been fully engaged in resolving the crisis affecting neighbouring countries such as Libya and Mali.

80. **Mr. Ajayi** (Nigeria) said that his country, as the largest democracy in Africa, remained committed to the protection and promotion of human rights. Nigeria was a State party to the major international human rights instruments and contributed to the formulation of key international policies and agenda, having mainstreamed the related principles in all national policy spheres. The National Human Rights Commission had been created in 1996 as an independent statutory entity overseeing human rights and monitoring government compliance with obligations. The Government had also adopted a national action plan for the effective fulfilment of human rights obligations.

81. To support an environment conducive to the enjoyment of human rights and exhibit compliance with the work of the universal periodic review mechanism, Nigeria had established a national consultative forum to articulate means of fulfilling recommendations accepted by the Government during various review cycles and was proud to continue sharing the experience gained from its locally developed strategy with the international community. Further demonstrating its commitment to the promotion and protection of human rights in all areas, including the fight against terrorism, Nigeria had established a human rights desk at its defence headquarters to ensure that the actions of the military complied with human rights obligations.

82. **Mr. Escalante Hasbún** (El Salvador) said that human rights were a State policy and key foreign policy pillar for El Salvador, and efforts in that area had resulted in concrete actions to further promote human rights as an indispensable prerequisite for sustainable development. Those actions included ratification of the Rome Statue of the International Criminal Court and a number of international human rights instruments, while in September 2017, El Salvador had reformed the Family Code to include a prohibition of child marriage. As a member of the Human Rights Council, his country had introduced Council resolution 36/5 on protecting the rights of unaccompanied migrant children and adolescents regardless of migratory status.

83. Although the Human Rights Council was a subsidiary body of the General Assembly, it had its own jurisdiction for discussing human rights issues. That was reflected in the range of thematic areas addressed and resolutions adopted, the full participation of the United Nations membership in the universal periodic review, the degree of civil society involvement in Council processes in Geneva and the high level of the work of all special procedures.

84. The Committee should respect the procedures, mechanisms and structures that underpinned the

Council's work and had been established by the General Assembly. While the Assembly had a responsibility to monitor and potentially modify the procedures governing the Human Rights Council, the thematic content of Council discussions resulted from processes that should not be called into question.

85. **Ms. Gintere** (Latvia) said that the Human Rights Council had been instrumental in advancing the human rights agenda as the main body responsible for promoting the indivisibility and universality of human rights. The Council must be able to respond to challenges and violations in a timely manner.

86. Latvia remained concerned at reprisals against human rights defenders and civil society organizations, and believed that the cooperation of all States was paramount for the special procedures, whose work it strongly supported and whose independence and expertise must be preserved. Her delegation called on all States to extend standing invitations to special procedures mandate holders and offer genuine cooperation.

87. The Human Rights Council faced fundamental changes, including a rising workload that challenged its ability to respond appropriately to crises. Latvia was dedicated to improving the Council's efficiency and effectiveness through measures including information and communications technology. For the Human Rights Council to reach its full potential, Member States must renew their related commitments and political will.

88. **Mr. Joshi** (India) said that the efforts of the Human Rights Council to overcome the challenges faced by its predecessor had not gone smoothly, and its work was often contentious. There were continuing calls for the reform of some human rights mechanisms, including the Human Rights Council itself, and the divergent priorities of States were reflected in the somewhat contradictory approaches taken in the 2030 Agenda for Sustainable Development and in moves towards external action to protect civilians. Although the work of the Human Rights Council continued to expand, its effectiveness was not always clear. The work of special procedures mandate holders was often constrained by lack of adequate funds, and opacity of funding was also an area of concern. Certain mandate holders clearly exceeded their mandates, and the country-specific special procedures had been largely counterproductive. The Council's role in providing technical capacity-building had also been limited to just a few situations.

89. In that context, the universal periodic review mechanism was a significant success. Constructive and collaborative engagement shaped a better collective future and was essential for the promotion and protection of human rights globally, unlike counterproductive and politicized naming and shaming. Improved geographical representation, combined with adequate funding from OHCHR, would bring balance to the work of the Human Rights Council. The promotion and protection of human rights should be addressed in a fair and equal manner with objectivity, respect for national sovereignty and territorial integrity, non-interference in the internal affairs of States, non-selectivity and transparency. All State Parties must fulfil their treaty obligations. The Human Rights Council, treaty bodies, special procedures and OHCHR should avoid confrontation and focus on achieving the desired results through dialogue and capacity-building.

90. **Mr. Yaremenko** (Ukraine) said that his country believed that the special sessions of the Human Rights Council were evidence of its competence for addressing urgent country-specific situations but the Council had not used that tool in 2017. The Government of Ukraine appreciated the efforts of the Human Rights Council and its special procedures to address the current human rights situation in Ukraine, including in occupied Crimea. The Council resolutions on cooperation with and assistance to Ukraine in the field of human rights adopted since the onset of the Russian aggression in 2014 and the interactive dialogues on the situation in Ukraine held at each Council session as well as in the intersessional period were important tools for providing objective information on the real human rights situation there.

91. Ukraine commended the work of the United Nations human rights monitoring mission in Ukraine in collecting and analysing facts related to human rights, with an emphasis on temporarily occupied Ukraine and parts of Eastern Ukraine where Russia-backed terrorists and regular Russian troops were conducting a hybrid war against the people of Ukraine. The first thematic report of OHCHR on the situation of human rights in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol was considered informative and balanced by government agencies and non-governmental organizations. His Government was particularly interested in receiving visits to Ukraine from the Human Rights Council's special procedures mandate holders, especially in occupied Crimea and certain regions of Donetsk and Luhansk, for an impartial assessment of all violations of human rights and international law, including those that might constitute war crimes, committed by Russia and its proxies. The Government of Ukraine would take further measures to safeguard the rights and freedoms of all persons living on Ukrainian territory. The occupying Power must grant

established human rights monitoring mechanisms unfettered access to Crimea, in accordance with the provisions of General Assembly resolution 71/205.

92. **Mr. Yao** Shaojun (China) said that the Human Rights Council had done much commendable work in 2017, but faced multiple challenges that included increasing confrontation and politicization. The practice of naming and shaming, the public exertion of pressure and double standards had given rise to resentment and concern in many countries. Different human rights were not treated equally, and economic, social and cultural rights and the right to development, which were of most concern to developing countries, were not accorded due attention.

93. Some special procedures mandate holders had exceeded their terms of reference, made irresponsible comments based on unreliable information and refused to engage in effective communication with Member States. Moreover, the Council's agenda was excessive and expanding, which cast doubt on its capacity for time management and efficiency. Some non-governmental organizations abused their consultative status with the Economic and Social Council, making politically motivated attacks on Member States. China hoped that the Human Rights Council would consider those problems, follow the mandate given by the General Assembly, facilitate dialogue and cooperation among all parties, respect sovereignty, advance all human rights equally and work to improve its efficiency. The Council should also urge the special procedures experts to abide by the Code of Conduct for Special Procedures Mandate Holders of the Human Rights Council.

94. **Ms. Mouflih** (Morocco) said that the Human Rights Council had established itself as the main United Nations body for addressing human rights issues through dialogue, cooperation and technical assistance. Its innovative universal periodic review had demonstrated the importance of universality and cooperation for promoting and protecting human rights, and of special procedures for keeping the Council apprised of human rights developments worldwide and providing the necessary expertise on thematic issues. The international community must safeguard the Human Rights Council's achievements, protect it from politicization and manipulation of its work and overcome persistent challenges to the effective delivery of its mandate with a balanced approach that was sensitive to victims of human rights violations. The Council must also resist attempts to divert it from the mandate assigned by the General Assembly.

95. The growing importance of human rights in international relations required an active and visible Human Rights Council, but references to it in the media were rare and often inaccurate. The Council must adopt a communications strategy that adequately portrayed its awareness-raising work to increase its impact on the ground and further promote and protect human rights. The Council's heavy workload prevented delegations from following and contributing to its activities effectively and must be reduced through measures including rationalization of its mechanisms and working methods.

96. **Mr. Ri** Song Chol (Democratic People's Republic of Korea), speaking in exercise of the right of reply, said that his delegation rejected the reference made to his country by the representative of the European Union. Non-politicization, non-selectivity, objectivity, impartiality and non-interference in the internal affairs of States should be the guiding principles when human rights issues were considered by the Council. Furthermore, his delegation strongly rejected the Council's resolutions concerning his country, and also the work of the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea and of the group of experts, as they were politicized and relied on fabricated information in their attempts to defame and overthrow the Government. Those mechanisms were irrelevant to the protection of human rights in the Democratic People's Republic of Korea. It was well-known that the worst human rights abuses were committed in the countries of the European Union. Those States should address their own deplorable human rights situation instead of arguing over non-existent violations in the Democratic People's Republic of Korea and other countries. The Human Rights Council should not be used for the evil political purposes of the United States and other hostile forces.

The meeting rose at 5.55 p.m.